




SO ORDERED.

SIGNED this 19 day of December, 2017.



Joseph N. Callaway
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
FAYETTEVILLE DIVISION**

IN RE:
BAILEY ADDISON WARREN
JULIE STRADER WARREN
DEBTOR(S)

CASE NO. 17-04308-5-JNC
CHAPTER 13

**ORDER MODIFYING STAY
WITH RESPECT TO PROPERTY LOCATED AT
210 OTTIS MILLER ROAD, BEULAVILLE, NORTH CAROLINA 28518**

THE MATTER came on before the United States Bankruptcy Court for the Eastern District of North Carolina upon the Motion for Relief from Stay (“Motion”), filed by Federal National Mortgage Association (“Creditor”), and the Court having reviewed the pleadings and the record in the case finds and concludes as follows:

1. A petition under Chapter 13 of the United States Bankruptcy Code was filed with respect to the Debtor(s) on September 1, 2017.
2. The Debtor(s) holds an interest in that certain property described in that Deed of Trust recorded in the Duplin County, North Carolina Register of Deeds in Book 1552 at Page 790 (“Deed of Trust”), with an address of 210 Ottis Miller Road, Beulaville, North Carolina 28518 (“Property”).
3. Creditor is the party entitled to enforce that certain Note in the original principal amount of \$50,000.00 and dated May 11, 2006 (“Note”). All amounts owed under the terms of the Note are secured against the Property by the Deed of Trust.

4. The Debtor(s) is surrendering his/her interest in the Property.

5. The estimated market value of the Property is \$40,000.00.

6. As of October 5, 2017, the aggregate amount of encumbrances on the Property, listed in the Schedules or otherwise known, including but not limited to the encumbrances granted to Creditor, is \$20,151.17.

7. Cause exists for relief from the automatic stay pursuant to § 362(d)(1) because Creditor's interest in the Property is not adequately protected.

8. Pursuant to §362(e), Creditor has noticed any interested party that it must file and serve any response, including an objection, within fourteen (14) days from service of the Notice of Opportunity for Hearing.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that:

1. That the automatic stay afforded by 11 U.S.C. §362(a) shall be modified to permit Creditor, its successors and assigns, to pursue its rights with respect to the Property pursuant to the Note, Deed of Trust and applicable state law, including the right to foreclose its interest in and take possession of the Property.

END OF DOCUMENT